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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,386	02/06/2004	Junichi Tamamoto	500.43486X00	6779
20457	7590	01/08/2009	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP			KUMAR, RAKESH	
1300 NORTH SEVENTEENTH STREET				
SUITE 1800			ART UNIT	PAPER NUMBER
ARLINGTON, VA 22209-3873			3651	
			MAIL DATE	DELIVERY MODE
			01/08/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/772,386	TAMAMOTO, JUNICHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	RAKESH KUMAR	3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 14 October 2008.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-25 is/are pending in the application.  
 4a) Of the above claim(s) 2,4,5,13,22 and 23 is/are withdrawn from consideration.  
 5) Claim(s) 1,3,6-12,14-21 and 25 is/are allowed.  
 6) Claim(s) 24 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 14 February 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1)  Notice of References Cited (PTO-892)  
 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3)  Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4)  Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5)  Notice of Informal Patent Application  
 6)  Other: \_\_\_\_\_.

**Final Rejection**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stromme et al. (U.S. Patent Number 6,311,819) in view of Keller (U.S. Patent Number 4,015,703).

1. Referring to claim 24. Stromme et al. discloses an apparatus 10 for handling sheets 20, comprising,  
a sheet transfer member (223) being movable, and having a transfer surface that is contactable with one of the sheets (20) so that the sheet (20) is transferred by the sheet transfer member (223) (Figure 4, Col. 5 lines 49-60),  
a sheet supporting surface area (including 211 and 240; Figure 2 and 4) being contactable with one of the sheets (20) transferred by the sheet transfer member (223) (Col. 5 lines 23-30), said sheet supporting surface (including 211 and 240; Figure 2 and 4) extending to be contactable with the one of the sheet (20; see Figure 4 sheet in contact with 240) between the transfer surface and the information reading point (247), and

Information reader (reading sensors) arranged in the evaluation region (247) to face one of the sheets (20) transferred by the sheet transfer member (223), the sensors in the evaluation region (247) securely read information in their information reading range as the sheet (20) proceeds through the information reading point (Col. 5 line 59, Col. 6 line 37, Col. 13 lines 50-60)

wherein as seen in a view direction perpendicular to a thickness direction (see Figure 4) of the one of the sheets (20) and a transferred direction (direction to the left and see in Figure 4) of the one of the sheets (20) transferred by the sheet transfer member (223),

the sheets are ejected into the evaluation region 247 in a tangential line, after leaving the boundary point (nip point between the member 223 and 250) of the transfer surface on the transfer member 223 from which the sheet 20 starts to separate away from the transfer surface in a straight line above the guide member 240 and passing through the information evaluation region 247.

wherein the one of the sheet transferred (20; Figure 4) by the sheet transfer member (223) is substantially planar (see Figure 4) with the sheet supporting surface (including 211 and 240; Figure 2 and 4) area when in contact therewith.

Stromme et al. does not disclose the sheet 200 separating away from the path of an imaginary straight line passing through the information reading point.

Keller discloses a sheet material transport system with the ability to vary the input feeding and output angles of the media sheet B. The sheet B is ejected by the sheet transfer member 3 at a boundary point 7 in a straight tangential line path 17 intersecting

the sheet guides 22. As the sheet B proceeds on the tangential line path 17, it begins to separate away from the tangential path into the sensor detection area enclosed by the guide members 22 (Figure 2, enlarged view). The tangential line 17 is prevented from extending parallel to the imaginary straight line 8.

It would have been obvious to one of ordinary skill in the art at the time the invention was made, to control the interior ejection angle such that the sheet could be bent or driven in a particular direction to allow for the sheet to be positioned in a location that maximizes the ability to detect the required sheet properties by the sensors in the detection region as suggested by the teachings of Keller. As a result a more accurate information reading can be obtained by controlling the position of the sheet with respect to the detection devices.

Stromme et al. discloses an apparatus 10 for handling sheets 20, which consists of a sheet supporting surface 211, 240 area extending to be contactable with a sheet 20 between the transfer surface and the information reading point in the evaluation region 247 (Figure 4, Col. 4 line 49). The sheet supporting surface 211, 240 extends and guides the sheet 20 to the information evaluation region 247 by the means of the sheet transfer members 223 and 241.

Stromme et al. discloses the sheet transfer member 223, 241 and the sheet pressing members 250, 251 are rollers disposed on a rotational axis (Figure 4).

Stromme et al. discloses using various types of sensors in the evaluation region 247 depending on the particular application and need of the device (Col. 13 line 50). Stromme et al. also teaches of using a pair of input sensors disposed in an opposed

manner such that, the input face of the respective sides of the sheet can be detected by the sensors placed on each side (Col. 14 line 52, not shown in drawing).

Regarding claim 24, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Stromme et al. and dispose a blower 10 in the detection region as taught by Keller. Keller teaches the addition of a blower 10 applying a pneumatic pressure to the sheet in a manner to urge the sheet by pneumatic pressure toward the sheet supporting guides 22 (Figure 4, Col 4. lines 50-60). By using a pneumatic blower the position of the sheet as it travels from a sheet transfer member is further controlled.

#### ***Allowable Subject Matter***

Claims 1,3,6-12,14-21 and 25 allowed.

#### ***Response to Arguments***

Applicant's arguments, see Remarks, filed 10/14/2008, with respect to claims 1 and 9 have been fully considered and are persuasive. The rejections of claims 1 and 9 have been withdrawn.

In regards to claim 24, the applicant asserts Keller does not teach or disclose the sheet is pressed against the supporting surface area. In view of the Office Keller discloses the transferred sheet can be deflect by the use of adding the dynamic pressure from a blower, Keller clearly discloses the sheet can be deflected toward the

supporting guides (22). Keller does not teach in specific that the sheet is pressed against the supporting area. However it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the pressure created by the blower such that a high degree of deflection could be achieved to press the sheet against the supporting surface by simply increasing the output of the blower.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAKESH KUMAR whose telephone number is (571) 272-8314. The examiner can normally be reached on M-F 8 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gene Crawford/  
Supervisory Patent Examiner, Art  
Unit 3651

/RAKESH KUMAR/  
Examiner, Art Unit 3651

<b>Application Number</b> 	Application/Control No.	Applicant(s)/Patent under Reexamination
	10/772,386	TAMAMOTO, JUNICHI
Examiner	Art Unit	
RAKESH KUMAR	3651	